



July 30, 2003

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



William Dennehy Jr.
Yacht Club Vista Assoc.
34 Evergreen Lane
Hanover, MA 02339

LETTER OF DEFICIENCY #WSEB 03-179
CERTIFIED MAIL #7000 0600 0023 9933 2796

Subject: Gilford - EPA #0882400 - Public Water System: **Yacht Club Vista**

Dear Mr. Dennehy:

The records of the Department of Environmental Services (DES) show that the subject water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections, or 25 or more people, for 60 or more days per year. Pursuant to NH Admin. Rule Env-Ws 360.14, the water system owner is required to submit an Emergency Plan to DES by March 15, 2003.

On or about March 21, 2002, DES sent the subject water system a letter that explained the requirements of the Emergency Plan rule, noted the deadline of March 15, 2003, for submission of the Emergency Plan to DES, and indicated how to obtain assistance in preparing the Emergency Plan. DES records indicate that the water system did not submit an Emergency Plan by the March 15, 2003 deadline. DES records show that the water system was sent a second letter, dated March 31, 2003, which noted the failure of the system to submit an Emergency Plan to DES by the March 15, 2003 deadline and requested that the Emergency Plan be submitted by June 30, 2003. To date, the system has not submitted an Emergency Plan to DES, thus placing the system in violation of Env-Ws 360.14. DES believes the Emergency Plan violation can be corrected by taking the following action:

By August 13, 2003, submit to DES an Emergency Plan that meets the requirements of Env-Ws 360.14.

In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Guidance documents and instructions, along with information for free, on-site assistance are available at <http://www.des.state.nh.us/wseb/EmergencyPlanning/index.asp>. Please contact Johnna McKenna at (603) 271-7017 or by email at jmckenna@des.state.nh.us, if you have any questions regarding the preparation and submission of the Emergency Plan. The Emergency Plan submittal should be addressed as follows: Department of Environmental Services, Attn: Anne Bailey, Water Supply Engineering Bureau, 6 Hazen Drive, PO Box 95, Concord, NH 03302-0095. If you have any questions concerning this letter, please contact Anne Bailey at (603) 271-0672 or by email at abailey@des.state.nh.us.

Sincerely,

COPY

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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Gretchen Rule, DES Legal Unit
Health Officer for Gilford
John Benham, Primary Operator